IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 16317 of 2004

Between:

Dasyam Venkata Satyanarayana Babu Prasad,

S/o.Dasyam Venkatappayya,
R/o.3-5-1000, Narayanaguda, Hyderabad.

..... PETITIONER

AND

1 The Mandal Revenue officer, Dwaraka Tirumala, W.G.Dist.
2 The District Collector, W.G.Dist. at Eluru.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not passing any orders to grant patta to the petitioner for his land in an Extent of Ac.5-00 covered by survey No.23 old in S.No.11 i.e., part of land of Dwaraka Tirumala, W.G.District on his representation as illegal, arbitrary biased, unconstitutional and against the principles of natural justice and consequently direct the respondents to grant patta to the petitioner for his land in an extent of Ac.5-00 covered by survey No.23 old in S.No.11 i.e., part of land of Dwaraka Tirumala, W.G.District.

Counsel for the Petitioner:MR.SALIKITY RAJU

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

The learned counsel for the petitioner is not in a position to state how the petitioner acquired Acs.5-00 land and entitled to be recognized as a pattedar. Except stating that the late Karanam entered the name of the petitioner and the name of his brother in 10(1) Adangals in the year 1992 for Acs.2-50 cents each nothing is stated in the affidavit filed in support of the writ petition. The petitioner's father D.Venkatappayya along with his brother D.Jayaram Suri filed WP.No.13937 of 2003 before this Court complaining the inaction on the part of the respondents in passing appropriate orders granting patta in their favour over an extent of
Acs.10-11 cents of land covered by Survey No.11 of Dwaraka Tirumala, West Godavari District. The said writ petition was disposed of by this Court at the admission stage on 14-07-2003 with a direction to examine the petitioners' representation therein in regard to grant of patta and pass appropriate orders. When the petitioner's father D.Venkatappayya filed a complaint before the second respondent-District Collector, West Godavari, Eluru and also to the Chief Minister, the same was forwarded to the second respondent, who, by a letter dated 15-06-2004 informed that his complaint was sent to the Revenue Divisional Officer for enquiry and to resolve the controversy. Therefore, the representation said to have been made by the father of the petitioner for granting patta has to be considered.

In view of the same, the petitioner shall approach the Revenue Divisional Officer. If he claims any right over the property in question, the same shall be enquired along with the application of the petitioner's father as was referred to the Revenue Divisional Officer by the second respondent on 15-06-2004 and pass appropriate orders.

The writ petition is accordingly disposed of. No costs.

13th SEPTEMBER, 2004.

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To

1 The Mandal Revenue officer, Dwaraka Tirumala, W.G.Dist.
2 The District Collector, W.G.Dist. at Eluru.

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad. (OUT)

4 Two CD copies.